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ABSTRACT

In an appeal before the Federal Trade Commission (FTC), the author pleaded for governmental action to restrain national advertisers from "unscrupulous and erroneous advertising pitches aimed at children." Citing the principal media for child-targeted advertising, (comic books, youth magazines, school displays and radio and television), the speaker exposed the present-day practices in the marketing of toys, pills and edible products. The relationship between "misleading, often seductive advertising" and over-the-counter drugs and non-nutritional foods was explored. Mr. Choate was critical of previous attempts at advertising reform and points out several areas where, he said, the advertisers failed to follow through with previous pledges assuring more straightforward ads. In conclusion, he called for more regulation, particularly by the FTC, Federal Drug Administration, and Federal Communications Commission, to tightly restrain the country's merchants from "coveting our children's purses." A listing of the fifth largest food companies and their advertising agencies is provided. (MC)

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THE ELEVENTH COMMANDMENT: THOU SHALT NOT COVER MY CHILD'S PURSE

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
OFFICE OF EDUCATION

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Statement of

ROBERT B. CHOATE

Chairman

COUNCIL ON CHILDREN, MEDIA AND MERCHANDISING

Before the

Federal Trade Commission

November 10, 1971

1346 Connecticut Avenue, N.W.
Washington, D.C. 20036

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THE ELEVENTH COMMANDMENT: THOU SHALT NOT COVET MY CHILD'S PURSE

The pre-reading child, the primary student, and the soon-to-be-teenagers represent a new frontier to the hardsell advertisers of the United States. Their excesses of the past two decades invite the Federal Trade Commission not only to establish a special staff on trade practices toward children, but also to suggest a whole new group of standards and regulations.

Those who advertise to children--for the purpose of selling to them or through them--inescapably also are advertising to the child the ground rules of the private enterprise system. Today's child has learned more about Madison Avenue's techniques than about the economists' dream; in the process, according to Professor Scott Ward of the Harvard Business School, he has become a skeptic at the age of ten. Can we really expect children to support our economic way of life while we exploit them from the age of two as we do?

The principal media for advertising to children are: comic books, youth magazines, back-of-the-box coupons, school displays, package inserts, radio and, of course, television. The principal objects advertised to children for their own use are: toys, edible products including beverages, sports hero items, phonograph records, moneymaking bonanzas and vitamin pills. Seasonal variations are noticeable. Scare packets, for instance, were in vogue for Halloween last month. In the pre-Christmas season, the crescendo reaches its annual peak.

This paper will review present-day practices in the advertising and selling of toys, pills and edible products through the media of comic books, back-of-the-box coupon arrangements and television. Certainly there are many worthwhile products for children, and more than a handful of ethical advertisers, but the immoderate, misleading and often fraudulent sales patterns found in this country beg for special FTC action. Certainly the practices we here describe make mockery of the sanctimonious testimony thus far offered by those who toil in Puffville.

GENERAL VIEWS

Advertisements to children should be analyzed, both on an individual basis and on a mass impact basis. A review of today's Saturday morning television advertising to children reveals that : children are used to sell to adults; imprudent acquisition of goods and consumption of foods without moderation is an over-riding message; cost is apparently unimportant; advertising to the child is less than fully honest.

The absence of commercials selling good books or advocating what once was called "serious" music or recommending to a child that he leave his indoor games and enjoy outdoor recreation without artificial props can warp a child's values. Artificial games, requiring solely the talent of winding up a racer or putting a marble in a doll's mouth, seem to leave out the skills required in the games of yesteryear, where one sought to score points in a contest or make the right judgment in a test of wits. One very astute Mother recently commented that perhaps we critics of children's television are off on the wrong track. She pointed out that the world is becoming like television--the world is changing to reflect the values and activities stressed on the Tube. Perhaps games are also becoming like television: to win Milton-Bradley's game "Don't Catch a Cold", you knock out the evil cold bug monster with a pseudo vitamin pill. Here is the game. What erroneous information it conveys!!

Despite the National Association of Broadcasters' Toy Guidelines, and despite careful perusal of the small print in toy advertisements, it is difficult to judge the size or volume of many products which are offered. This has long been a concern with food products, where a strangely shaped container or slack fill may mean that you are getting less of the product than you think.* Slack fill has been a subject of concern to the Food and Drug Administration as it applies to food, but the Federal Trade Commission must become more concerned about "slack fill" in toys. Many a toy is thoroughly disguised by the box it comes in.

* See statement of John Gomilla, Chief, Fair Packaging and Labeling Branch, Office of Compliance, Food and Drug Administration, at the University of California at Davis Packaging Symposium, October 19, 1971.

I do not totally object to selling to children; but I think it can be done in a manner which will help them learn prudent consumer habits, such as judging the size, shape, volume, unit price or nutritional worth of a product. Careful selling to children can create habits of thrift and careful selection, while honestly promoting specific products that one might need. The supermarket shelf represents a magnificent opportunity for teaching a child about numbers, letters, words, trigonometry, geometry, weights and measures and unit pricing. The side of the food box could represent a first-class course in nutrition education. The selling of cars, trucks and motorcycles could teach safety and driving skills, instead of just encouraging a desire for speed.

In short, good advertising to children will produce marketing scouts instead of marketing skeptics, and their shopping habits will strengthen the private enterprise system far more than sugar coating and puffery. Kids can learn to be cautious without learning to distrust - even hate - their economic system.

Let us now look at some of the present practices in selling to and through children.

TOYS AND COMICS

From time immemorial, toy vendors have sought to catch the eye of the child. The last forty years have witnessed the conversion of the low key pitch to an entranced child into a hard sell propaganda campaign that seems to equate acquisitiveness, jealousy and materialism with the tenets of the golden rule. Advertising to children today often seems to be the intentional seduction of the innocent.

As a result of this campaign, children no longer enter a toy store to wind up the spring or push a button; the child now is programmed to send in the coupon or merely plunk down the money for a product whose advertisements he has seen and believed; he carries away an unopened box, confident that the contents are as glamorous and realistic as the advertisement which persuaded him.

An example of this persuasion can be found in any children's comic book, which is filled to overflowing with coupons and fantastic once-in-a-lifetime offers. I will show you several examples of these ad pages, but a few quotations here may suggest the ethics of these advertisers:

"50 little dolls that delight the heart of every child! The wonder of this unprecedented offer is that every doll is made from beautiful high-quality Styrene plastic and hard synthetic rubber. You get BABY DOLLS, NURSE DOLLS, DANCING DOLLS, FOREIGN DOLLS, CLOWN DOLLS, COWBOY DOLLS, BRIDE DOLLS and many more in lilliputian cuteness and clothes for each made of durable vinyl in a variety of designs! Your daughter or your niece or the cute child next door will love you for this gift. She will play with them for months and not grow weary of them. What a family for a little girl! Just think of it-- 50 exquisite little dolls with clothes for each doll, in beautiful high-impact styrene plastic and hard synthetic rubber at this unbelievable price!" ¹

"Kenner's Newest Racers...SSP Super Sonic Power...Collect 'em! Race 'em!...World's Fastest Racers!" ²

"Join Now! America's only Monster Fan Club...ABSOLUTELY FREE! GIANT LIFE SIZE MOON MONSTER...over 6 feet tall! Horrifying! Exciting! Thrilling! ...It's all FREE! when you join the monster fan club. Membership fee \$1...no dues or other charges. Hurry...Be the first!" ²

Mr. Chairman and members of the Commission...here are the dolls. And here is another ad offering 100 of the same dolls for the price I paid for 50 dolls. ³ Both ads are from the same company, at the same address. Both ads state that 50¢ is required for postage and handling, yet the postage on this package was only 12¢.

"Now yours from Columbia--At Truly Great Savings...any of these hit records for only \$2.86...Here's our best offer ever! Join right now and get ANY 14 of these records for only \$2.86 and all you have to do is agree to buy as few as ten records (at the regular Club price) during the coming two years... How to order: If you do not want any record in any month--just tell us so by returning the selection card by the date specified...or you may use the card to order any of the records offered. If you want only the regular selection for your musical interest, you need do nothing--it will be shipped

¹ Giant Comics, "Little Archie", No. 68-Nov.

² Comic Book: Our Army at War, featuring Sgt. Rock, October, No. 237.

³ Archie Series Comics, December 1971.

to you automatically. And from time to time, the Club will offer some special albums, which you may reject by returning the special dated form always provided--or accept by doing nothing."¹

...Do we not have a rule covering the charge for "doing nothing" ?

"What kid wouldn't want a Giraffe, a Hippo or an Elephant to call his very own? Now participating ARCO dealers are giving away a pair of toy animals absolutely free with a minimum eight gallon fill-up."²

...Thus we sell through kids to their parents.

"Throw your voice into trunks, behind doors, everywhere. Fits in your mouth out of sight. Fool teacher, friends, family. Free book on 'How to Become a Ventriloquist'. 25¢ "³

...and fool the buyer, too!

"Get your Dr. Seuss Horton. A perfect companion for each girl and boy... send \$2.98 plus two labels from any of these NABISCO Cookie Brands and get your very own inflatable Horton the Elephant...Watch Horton Hears a Who on CBS-TV..."⁴

...\$2.98 for a balloon???

WRITE RIGHT NOW!

Write advertisers direct for information about this page write S. Schwartz & Co. 13 W. 43 St., N.Y., N.Y. 10036



BE TALLER!

If YOU could grow 2-6 inches taller in one month would you spend 25¢ to discover how?

Fantastic new method of growing taller. Quick safe & permanent. No exercises, appliances, drugs or elevators.

Send 25¢ coin for: "How to be taller".

"I increased my Bustline from 35" to a full 39" in just 8 weeks with the Mark Eden Developer", says Anita Paul.⁶

...No comment.

- ¹ The Flintstones and Pebbles, Charlton Comics, Columbia House, February 1971.
- ² Sunday Comics, The Washington Star, October 17, 1971 (ARCO ad).
- ³ Flash Comics, Honor House Production Corp., November 1971.
- ⁴ Sunday Comics, The Arizona Republic, September 26, 1971.
- ⁵ Batman and the Flash, January 1971.
- ⁶ Motion Picture Magazine, November 1971, p. 73 AND Parents Magazine, November 1971, p. 141. (!!!)

Many of these items are all too familiar to parents of 6-12 year olds today. We were suckers a generation ago for the ventriloquist mouth pad, or the instant bust or muscle builder. Purchasing the item brought you disappointment, and a new listing on someone's junk mail list. Selling a child a pile of plastic today may be humorous to the seller, but apparently it is the beginning of disenchantment for the youngster who fills in the coupon.

Comic books today emerge on the world market at the rate of 300,000,000 per year.³ If two thirds of them remain on the American scene and carry 10 pages of advertising (a conservative estimate), that is approximately one billion square feet of advertising to children that should come under your purview.

TOYS AND CEREAL BOXES

The back-of-the-cereal-box campaign goes unrecognized as the indoor billboard of the United States. The Cereal Institute recently estimated that 900,000,000 backsides were shown to Americans each year. This constitutes 150,000,000 square feet of space. That is the equivalent of 30,000,000 full page newspaper ads or 500,000 billboards aiming a message at your child. More important, remember that this message is set before your child with your tacit approval--you invite your child to read this commercial. Small wonder four cereal producing companies have bought at least seven toy companies. Small wonder they are using the fantasy world of toys to inveigle your child into wanting their super-sweet products.

Here are some examples of the toys advertised to children on cereal boxes found in local supermarkets late in October:

General Foods (Post) Pebbles	Free yo yo inside
General Foods (Post) Frosted Rice	
Krinkles and Cinnamon Raisin Bran	Free Bobby Sherman record on box
General Foods (Post) Alpha Bits	Mattel Whizzer with boxtops 50¢
General Foods (Post) Crispy Critters	Hasbro Free Hot Foot Racer in box
Kellogg Corn Flakes	Hasbro "Alley-Up Game" \$1
Kellogg Sugar Frosted Flakes	Tony's Bowling Game \$1
Kellogg Rice Krispies	Basketball Game \$1
Kellogg Froot Loops	Free Puppet People inside
Kellogg Raisin Bran	3-D Football Cards inside
Kellogg Cocoa Krispies	Free Zoo-Choo inside
Kellogg Puffa Puffa Rice	Free Toolie Bird inside

General Mills Count Chocula	Globe Trotter T Shirt	\$1.50
General Mills Frosty-O's	Free Globetrotter Player inside	
General Mills Cheerios	Jade Jewelry	\$1.50 and \$2
General Mills Lucky Charms	Free Whistle inside	
General Mills Cocoa Puffs	Mystery Gardens	\$.50
Ralston Purina Raisin Bran Chex	Palmistry Puzzle	\$1.50
Nabisco Sweet Wheats	Free Kazoo inside	
Nabisco Rice Honeycs	Free Prehistoric Monster inside	
Quaker Quisp	Space Race Game on box	
Quaker Quake	Gyro car in package	
Quaker King Vitamin	Castle	\$.75

I interviewed one industry premium expert, and he said:

Back-of-the-box premiums are seldom test marketed ahead of time. "Fulfillment houses" handle the mailing work for the companies. The frantic race to attract children has now become a pain to all the cereal companies; they would like to get away from premiums but no one dares make the first move.

It must be remembered, however, that the premium does give the food company a means of advertising its low quality food products without mentioning their nutritional worth. (The Food and Drug Administration has no interest in the toy sales aspect of food containers; thus this breakfast table billboard and its temptations belong to the FTC.)

The bribing of children to buy a foodstuff based on a toy's appeal and the persuading of parents through exhortation to the children cannot be said to strengthen nutrition awareness. The article below is from the November 1 issue of Advertising Age:

Premiums fade a little, but they haven't died

NEW YORK, Oct. 29.—Premiums have long been part of the breakfast cereal scene: Dahlia dolls, bride dolls, records, charm bracelets, you name it. Kellogg spent \$3,000,000 a year on premiums in 1957, then cut back because they didn't make loyal users of tots who switched cereals with each new premium offer and they were wasted on adults.

By 1960, Kellogg said premiums were practically extinct. In 1964, General Mills tried to stamp out "gadgets, geegaws and gimmicks" as premiums and offered "informative" bird portraits, instead.

But premiums only fade away from time to time. They never die. Witness a current ad for five Post cereals. The headline: "Yes, they're pre-sweetened, come in funny shapes and have toys in the box."

Mr. Chairman, does not the packing of six different "puppet people" in six versions of the same cereal box belie previous testimony that advertisements cannot persuade a customer to go on purchasing a questionable product?

SELLING THROUGH CHILDREN

The obvious ploy of selling toys to increase cereal sales has a counterpart in the adult world. We have already cited the ARCO advertisement whereby children are wooed for the adult business they can bring to the gas pump. Two years ago, Texaco was selling a toy tanker which was only available at their stations. Today BP offers kids "free" sew-on racing patches with every 8 gallons of gas--and genuine racing jackets for \$5 each to sew the patches onto. Citgo advertises:

"Get the Laker Special or the Can Am Special. They can really go? Need no batteries; just pull out the T-Stick and V-ro-o-m! Ask Mom or Dad to drive down to CITGO and get you a racer or two. Only 99¢ each with a \$3.00 purchase at CITGO." ¹

It may be of further interest to parents to read this excerpt from Playthings magazine, September 1971:

"David B. Lockton, former President of Ontario motor speedway, has acquired the rights to license the Johnny Lightning for areas outside the toy field...Lockton stated that the name has 'great potential for oil and gas additives, tires and high performance products.' Lockton said that recent surveys showed that there is an almost 'universal recognition' of the name Johnny Lightning among adults as well as children. Lockton noted that he intends to license the name in the areas of clothing and food products." (emphasis added)

Even American Airlines has a link to the toy world. Their "In Flight Shopping Service Magazine" advertises a "Ride 'Em Jet" for toddlers at \$15. This is the same toy, complete with American Airlines insignia, which Kusan, Inc., advertises in Parents, Women's Day, McCalls, Redbook and Family Circle. In fact, Kusan (Or is it American Airlines?) has arranged for twenty television stations across the country to give away the toy on programs having awards for children.

¹ Sunday Comics, The Washington Post, November 7, 1971.

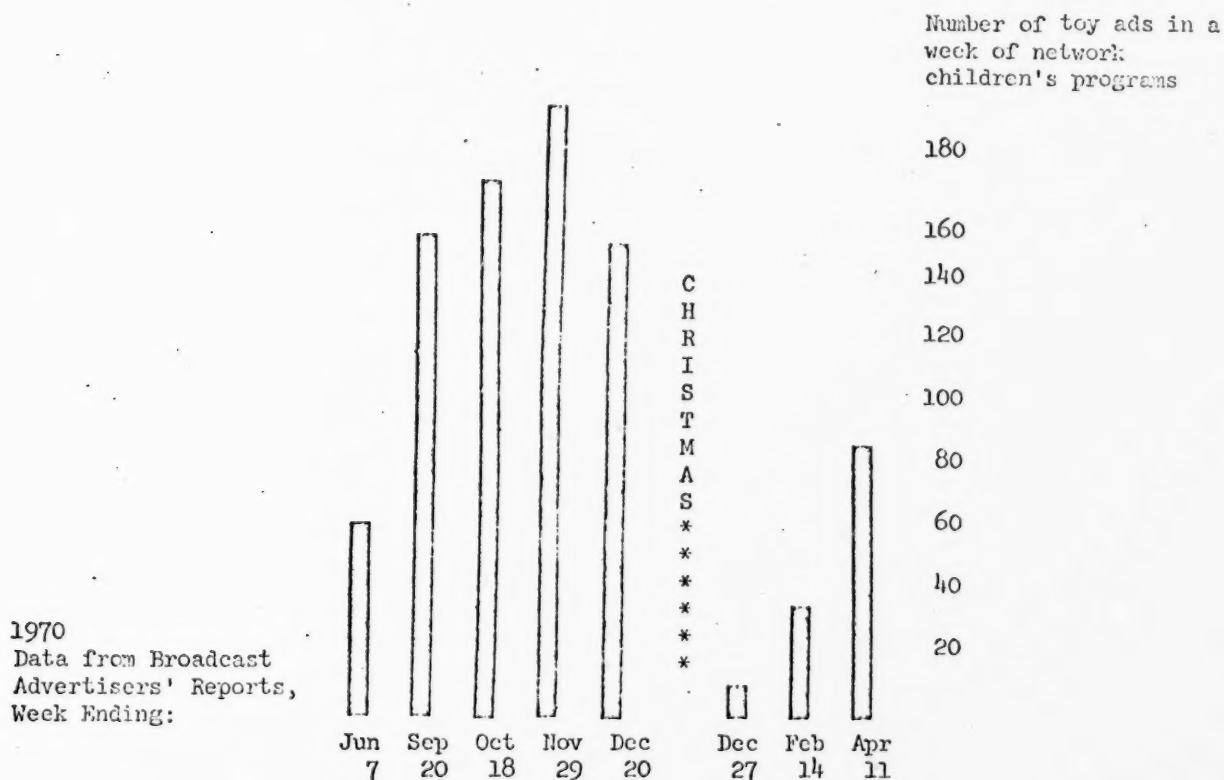
Local stores expect to sell the toy for about \$8.50, even while AA is being so free with their logo and charging \$15.00 for the same toy.

These examples suggest that a web of toy salesmen exercise their skills to try to pry coins from your child's purse, and from your own. This is a profitable business, as exemplified from the excerpts from toy corporation Annual Reports in Appendix A .

TV TOY ADVERTISING

Television unquestionably dominates the field of toy advertising to children. We have testified on television practices before other Committees and Commissions and will now highlight a few points from that testimony. Additional material from previous statements is contained in the Appendix.

Every parent knows that toy advertising is very seasonal, but this graph shows it rather dramatically:



Television toy advertising has produced so many irate comments over the past few years that the National Association of Broadcasters Code Authority instituted a new toy advertising code this year. It applies only to conventional toy advertisers and not to those who advertise toys as premiums for other products. The cries of anguish over this imbalance can be heard from Hawthorne, California, to Springfield, Massachusetts.

Producers of TV toy commercials today say some ad makers are following the Code, while others are winking at it. The poor enforcement record of the NAB Code Authority leads to wide fluctuations in adherence to the Code.

Perhaps the best insight into the ethics of those who advertise to kids can be drawn from this October comment by a major producer of commercials:

"IN ADVERTISING TO KIDS, YOU DON'T HAVE TO BE TRICKY, JUST...
...AHHH...CAGEY."

A writer of television toy commercial scripts, now retired, revealed last week that...

"I WROTE FOR THEM FOR YEARS AND I KNEW I WAS LYING THROUGH MY TEETH,
BUT I HAD TO MAKE A LIVING."

As you will note in these commercials taped for the FTC library on Saturday mornings over the last month, adults are well polished in being "cagey" with their four and six year old viewers: (See Appendix I for Storyboards on some ads.

"....The beautiful people have beautiful hair and beautiful
clothes they love to share.
There's Crissy and Velvet and now two more. Mia and Kerry,
so now there are four.
New Kerry and Mia, each with their own outfits. Additional
outfits may be purchased separately. They're Ideal."

".... This is the cold germ. To keep him away you hit him with
your vitamin pill into somebody else's corner. Bang. He's
out. Last one in is a winner. ..Terrific...Don't Catch a Cold".

".... Now you can play Noah. Participating ARCO dealers have 15 pairs
of animals to collect. You can even get Noah and his Ark.
Just ask for complete details. Start playing Noah soon.
Don't wait for a rainy day. A pair of animals free with a
minimum 8 gallon fillup."

Parents who wince at the seasonal tidal wave which encourages their child to demand some exotic plastic toy may find an unexpected ally in their local toy retailer. With the exception of the toy supermarketeers, toy vendors do not like the massive advertising of certain toys on television. Complaints about the ads include:

"They create a demand away from quality items."

"They invite disappointments and irate parents the day after Christmas."

"They favor the toy supermarket depots."

"They sell junk."

Toy supermarkets are afforded "taglines" by major manufacturers in return for substantial orders. These taglines permit the toy supermarket to be identified locally as the place to get the nationally advertised toy. As a result the viewer is led to believe that the toy is only available at the location mentioned. Small toy vendors shout that this is unfair. They cannot afford to buy taglines and they are not big enough purchasers to win the manufacturers' largess.

A major toy advertiser in the Washington area, and an example of the supermarket-type toy operation, is Toys R Us. Their tagline is now appearing with many specific toy advertisements during children's programs.

In spite of this, John Gray of Lash Distributors and Toys R Us wrote us 11/2/71:

"We have a low keyed approach to toy advertising. We aim our advertisements to adults, rather than towards children. Ours are display type ads that feature a broad assortment of toys...Basically, we attempt to promote good value and wide selection, instead of featuring individual items."

The toys retailers we interviewed all agreed that there is little profit for them in the toys pushed on TV. The pricing of nationally advertised toys is perhaps reflected in this story of one of Mattel's 1970 racer campaigns. The advertising effort was gigantic; the toy bombed. Supposed to sell near \$10, after

Christmas the toy was heavily discounted to such an extent that a local toy wholesaler believes Mattel was making this racer available to stores at \$2 per set. Even this did not rid Mattel of its huge supply. It took a post-Christmas fire in their Mexican warehouse to bring their stock down to size.

Parents who boil when a toy breaks down within days after purchase might note that certain toy companies have a reputation in the trade for putting out faulty materials the first year and then improving the product the second year. Kenner, a General Mills subsidiary, had a record player and tape recorder which were cited by a toy wholesaler as being examples of their too-often shoddy "first year" products. Kenner manages to stay competitive by a recall program which reimburses retailers year after year for returned products. Parents who have Kenner products in a junk pile in their attic might note this company policy and demand reimbursement. Other major toy companies take less responsibility for their faulty products.

In conversations with a number of toy outlets, we heard considerable praise for one company--Fisher Price--which apparently has a higher standard of toy design and manufacture. The mention of Mattel elicited few compliments--either for their toys or for their business ethics.

Over 50% of the toys heavily advertised in this country contain foreign made parts, with Hong Kong, Japan and Taiwan being the principal sources. (The west coast dock strike has upset this year's imports from the Orient.) European toys, particularly dolls, are also a major item.

TRICKS OF THE TRADE

The advertising of toys reaches a frantic pace at this time of year. This advertising is part of the "deal" which major toy manufacturers make with those stores which buy their items. At the annual Toy Fair in New York City each spring, not only are toys shown but advertising budgets are promised for the promotion of those toys. Some stores rely on these promises, hoping the demand will bring them easy profits. The record of manufacturers' delivering on their promised television campaigns is spotty. Many a toy budget is "adjusted" between the spring Toy Fair and the pre-Christmas splurge.

An insight into the ethics of some segments of the advertising market today can be gleaned from trade publications through which toy merchants talk to each other.

After the spring Toy Fair, the three major trade publications add fervor to the sales drive by repeated emphasis on the urgent need to sell, sell, sell.

The following quotations are from the September 1971 issues of Toys, Playthings and Toy and Hobby World:

"Every manufacturer should want to advertise in [the November and December issues], for both will give the manufacturer a final penetrating thrust at the heart of the toy market, and each manufacturer's advertising in these issues will show that he is genuinely behind dealers all across the nation." Toy and Hobby World

"The November issue of Toy and Hobby World will feature what can be done to squeeze the most possible business out of those last few weeks and days of the most productive part of the year."

A spokesman for the G.T. Morrison Company, a chain of 15 variety stores, says that one of their best items has been the Spanish-speaking Barbie Doll. He says, "We're in the right location for it; just along the Mexican border." Toy and Hobby World

Fisher-Price (a Quaker Oats subsidiary) advertises "on network TV, first of all. Our new campaign on ABC and CBS has been expanded from 8 weeks to 10 weeks. Parents will be treated to a brand new Christmas commercial." (emphasis added) Toys

Kohner's (a General Foods subsidiary) boasts in Toys that "millions of 'busy buyers' will be watching Kohner saturation advertising on these top-rated network shows:

			Audience
CBS	Family Affair	11:00 a.m.	5,770,000
ABC	Bewitched	12:00 noon	3,610,000
ABC	Let's Make a Deal	1:30 p.m.	4,360,000
NBC	Doctors	2:30 p.m.	5,170,000
ABC	General Hospital	3:00 p.m.	6,070,000
ABC	One Life to Live	3:30 p.m.	4,090,000

Also in Toys, the Ideal Toy Company boasts: "Ideal has a brand new doll. The Partridge family plays with her every week on network TV. Starting this Fall on the ABC Television Network your customers will see Patti Partridge on tour with the famous singing Partridge Family. Patti will be on week after week--and she'll go everywhere the Partridge Family goes...Over 25,000,000 people will see Patti Partridge on the show and Ideal will back it up with its own heavyweight promotions... Little girls all over the country will want a Patti Partridge doll for their very own. So stock up now! Let Patti Partridge and the Partridge Family make beautiful music--and profits--for you."

We corresponded with ABC and the Ideal Toy Company after seeing this advertisement. The responses are yet to be seen. Maybe this Commission can produce a reply.

In the same month, the Showcase section of Playthings reported that "a new royalty line of products based on the TV show "The Partridge Family" has been introduced by Sealfeld Publishing Company. The line includes a Paper Doll Box, a Punch-Out Paper Doll Book and a coloring book."

Toys reports that the "Gund Manufacturing Corporation has signed a licensing agreement with Robert Keeshan Associates to manufacture Captain Kangaroo's Dancing Bear."

GAP Viewmaster boasts in Playthings: "...our commercials will be seen on the most popular children's shows every Saturday. Shows like Bugs Bunny/Road Runner, Scooby-Doo, The Harlem Globetrotters, Archie, The Monkees, Jetsons and more... In addition we are co-sponsoring a 90 minute special show on October 20 featuring the opening of Disney World in Florida. And this promises to be the biggest children's special of the year...All in all, this means a lot of hard selling for Viewmaster. Which should make your selling job easier than ever..."

If these frantic commercial efforts were to be aimed at adults, we might dismiss it as a "normal" part of the private enterprise business world. But it is appalling to read: "...still plenty of time to help you make a killing..." and realize that their target is your child and mine.

TOYS TIED IN TO TELEVISION

The Partridge Family will not be the first television program to display a product directly on the program. Romper Room has received a lot of attention for its constant use of its own commercial products.¹ Bozo the Clown is another program which might bear a closer look. The September issue of Toys magazine carried a story on Bozo, which makes interesting reading:

"...Bozos may speak different native languages around the world, but they are all saying and doing the same thing, and every one of them has the same costume makeup and general physical and emotional makeup: tall, agile, athletic, healthy and happy. If you look at the Bozo performing in Chicago, you couldn't distinguish him except for language from the Bozo performing in San Juan, Puerto Rico..."

"As a commercial enterprise, Bozo the clown is big business, in the same way Smoky the Bear and Raggedy Ann are big business. The live and taped TV shows, plus the cartoons, reach an estimated US and foreign audience of 30 million every week. It's a pre-sold audience for Bozo merchandise and at latest count slightly more than 50 manufacturers are producing a variety of merchandise featuring the Bozo characterization, including toys and games, towels and sheets, sponges and plastics and various national or regional foods."

¹ Hasbro features Romper Room toys, the Romper Room program, and even Romper Room schools. See appendix B.

Here is the list of Bozo product licensees¹:

Bozo The Clown Product Licensees

Allison Manufacturing Co., Inc. . . . children's t-shirts, terry cloth bibs and cotton knit pajamas	Leisure Dynamics, Inc. . . . plastic toys in various sizes
Blue Ribbon Enterprise, Inc. . . . Hop 'n Pop	Little Kenny Publications, Inc. . . . Bozo's Blippo
Bradley Time Division, Elgin National Watch Company . . . children's wrist watches	Lysander Tufted Products, Ltd. . . . character rugs
Brooklyn Products, Inc. . . . children's bath sponge in the form of a puppet-type hand, other sponge rubber products	Mattel, Inc. . . . talking doll and talking and laughing hand puppet, talking Patter Pal
Colorforms . . . plastic die-cut shapes (stick-on toys), magic movies	Miner Industries, Inc. . . . children's masks, adult masks
Commonwealth Toy & Novelty Co., Inc. . . . shoe bag, pajama bag	Neva-Slip Comfort Covers, Inc. . . . blanket covers, pillow covers
Ben Cooper, Inc. . . . halloween and masquerade costumes, pajama costumes	Owens-Illinois, Inc. . . . melamine dinnerware
Perren Gerber and Associates . . . animated window displays	Party Favor Toy Company . . . distributors of bagged Bozo party favors
Hasbro Industries, Inc. . . . sewing set, pencil-by-number set, chalk board, rub-on color transfer set, talking telephone, gum ball vending bank, potato head play set, lite brite picture refill	Pioneer Favor Toy Company . . . balloons
Holiday Publishing Company, Inc. . . . paper party goods, baby gift and shower cards, stick-on labels	Polestar, Inc. . . . talking books
Ideal Toy Corporation . . . inflatable plastic hop bag, roly poly, chair plastic playhouse	Quiklat Division The Scott & Fetzer Co. . . . stainless steel eating utensils, drinking mug, wall nite lite, switch plate
The Harry Jones Company . . . growing up chart	The Ralex Co., Inc. . . . sliding square puzzle game, kite, yo yo
Kenner Products Company . . . color slides, film strips	Star Merchandise Co., Inc. . . . party favors
Knickerbocker Toy Company, Inc. . . . rag dolls, hand puppets and marionettes, plush dolls, hassocks and Bend-Em dolls, sleeping bags, vinyl roly poly with chime or speaker, hanging mobiles, switch plates, bas-relief wall plaques	Tasen Productions . . . caricature posters
Kohner Bros., Inc. . . . doll on trapeze, push button marionettes, doll on pedestal, spinning toy, tricky Walker toy, Jumpkins	Toy Innovations Ltd. . . . cartoon printing sets, toy tv sets
	Universal Lamp Co., Inc. . . . character lamps
	Varsity House, Inc. . . . t-shirts, sweat shirts in adult sizes
	Vend-Rite Manufacturing Division . . . balloon vending machines
	Visual Data Corporation . . . 3-D film slides with viewer
	Wamsutter Mills, Division M. Lowenstein & Sons, Inc. . . . towels, sheets, pillowcases, bathmats, shower curtains, bedspreads, baby blankets, plastic mugs, quilts, comforters, draperies
	Western Publishing Company, Inc. . . . punchout and cut-out books, activity books, Magic Slates, story books, painting and coloring books, coloring crayons

I suggest that these toy practices, these ethics, these propaganda campaigns are proof enough that the FTC should expand its activities in regard to children, and that a Children's Merchandising Division is long overdue.

We cannot make specific recommendations to moderate the use of toys to inveigle children to sell to their parents until a deeper analysis is made of these practices. Suffice it to say children should be alerted when they are being used.

¹ Toys, September 1971, P. 57

PILLS AND YOUR CHILD

We have already noted the link between food companies and toy companies. Now Fred Flintstone can show you how the toy and cartoon world introduce the pill culture to today's children. Fred has a child named Pebbles, and there are two variations of a General Foods cereal called "Pebbles". Fred sells vitamin pills for kids to take "when they don't eat right". He evidently also advocates aspirin: in a February 1971 edition of Charlton Comics, Fred's boss deflects a boulder, and Flintstone advises him to "take a couple of aspirin, boss. Your head will be fine in no time!"

Vitamin pills are not often seen in comic books, but on television Flintstones, Pals, Chocks and chocolate coated Zestabs are enthusiastically advocated to children.

Advertising in the midst of the Saturday morning cartoons contains the pitch:

"Hey hotshot (swimmer), what kinds of vitamins does your mother give you?
 Boy: Chocks... Announcer: Why, because she knows you don't always eat right?
 Boy: Yeah. Announcer: But why Chocks? Why not one of those other shaped brandy?
 Boy: Those are shaped for little kids..."

OR

Man: "...You don't eat the Pal's Club Arnold. You get it in the mail free when you send in any box of Pal's Vitamins. Arnold: Can I have my daily Pal's Vitamin, too? Man: Sure. Arnold: I love the Pal's Club. Man: To join, Mom..."

In a long statement submitted to me on May 25, 1971, the day before I was to speak to the National Association of Broadcasters Code Authority Review Board, Miles Laboratories started out by denying that Chocks and Flintstones were vitamin pills at all:

"Dietary supplements of vitamins and minerals are not 'drugs' or 'medicines'...Rather, they are foods, as classified by FDA in 21 CFR Section 125... Children's dietary supplements such as Miles' Chocks and Flintstones products are not 'vitamin pills'...A pill is defined as 'a medicine in the form of a little ball or small rounded mass that may be coated or uncoated and is to be swallowed whole.' Webster's Third New International Dictionary, p. 1715. These dietary supplements are not medicine and are intended to be chewed or dissolved in the child's mouth, not swallowed whole. They are larger than most pills, and they are not shaped like pills. They have shapes which are unique to themselves and which distinguish them from medicine pills."

After this auspicious beginning, Miles went on to state:

"Miles Laboratories, Inc., markets its chewable dietary supplements--intended for consumption by children in the age group 2 through 12 years--in large part

through advertising on television...Dietary supplements intended for children are nutritionally valuable and highly needed products in the United States. Advertising such products directly to children encourages them to regularly consume this beneficial food. Hence, such advertising should not be condemned."

"Although it is the parent who makes the determination as to whether or not to give a child a dietary supplement, exposing the child to advertisements aimed at creating an awareness of dietary supplements and their importance helps insure that the child will approach the consumption of dietary supplements with a willing attitude and encourages him to remind his parent to give him his dietary supplement every day. Our experience has shown that these dual goals cannot be efficiently accomplished by advertising directed primarily to parents." (Emphasis added)

"Miles Laboratories is firmly convinced that the manufacture and promotion of high quality vitamin and vitamin plus iron products for children represents a significant contribution to society. Dietary supplements are of importance to the child's future, and we therefore believe it is imperative that we and our competitors continue to advertise them to children directly."

Pals vitamins, a product of Bristol-Myers, are made in the form of Sesame Street-type characters who eat each other; they sing songs about health and urge youngsters to counter Mother's food advice.

Zestabs, a product of Hoffman La Roche, are newly decked out with a chocolate covering. They were previously advertised by a Superman-like "Supermouse". The Zestab ad must violate as many broadcast ethics as any other single ad.

In this ad:

1. A medicine is given the image of candy, thereby inviting self-dosage and over-dosage;
2. To avoid the Code Authority ban on advertising medicines to children, the announcer throws in a fraudulent appeal to "Mom"; and
3. The appeal invites a child to reject the nutritional advice of his parents.

Chocolate-covered Zestabs cost 4.2¢ each; Pals are 2.3¢ each; and Chocks are 2.4¢ each.

A local drug store chain sells plain vitamin pills for 1/2¢ each.

This Commission has heard much from the public and the FDA about over-the-counter drugs. Children watching television see many of the calmatives and sedatives urged upon their parents. Instead of having a public campaign on children's television advocating to kids that they recognize nature's distress signals for what they really mean, we have here the child's version of the pill-takers chorus. Flintstones, Pals, Chocks and chocolate covered Zestabs are medicines and pills, regardless of Miles' claims to the contrary. The NAB Code Authority has ducked this issue entirely. Incredibly, some of the nation's nutritionists who admit to being appalled at the foods being advocated over television, excuse the vitamin pill ads on the basis that they repair the damage done by the inferior food products sold to kids.

The Food and Drug Administration has been urging this Commission to act on over-the-counter drugs. I urge you to start with children's programs and vitamin pills. I then urge you to move on the advertising of all calmatives and sedatives during hours when children may be watching. Whether the link between over-the-counter drugs and today's drug epidemic is ever proven, the absence of any messages on television encouraging us to "understand nature's warning signs" gives the watcher an unbalanced perspective of his own physiology. If you are to ban any advertising, here is the place to start.

MY CHILD'S PURSE AND EDIBLE PRODUCTS

The comic pages of the Sunday newspapers all over the United States contain a veritable menu of advertisements aimed at children. Milky Ways, M & M's, Snickers, Hershey Bars, Clark Bars, sugar, Oreos, Sugar Wafers, bread, chewing gum, peanuts, artificial fruit juices and frozen dinners are but a few of the foods advertised to children in these "funny papers."

On one Sunday comics page, Libby says: "New Libbyland Dinners are the only frozen dinners made just for kids...Libbyland is where it's at. (Caution: Parents not admitted unless accompanied by children.)" ¹

Hershey Says: "To make milk taste like a Hershey bar, clip this Hershey's Instant coupon." --- A child smiles over the foaming glass of chocolate milk.

¹Sunday Comics, Los Angeles Times, Sunday, May 23, 1971.

In ads placed in practically every Sunday comics page we have seen, Wrigley's claims to be "wholesome, delicious, satisfying".¹ (Webster defines "wholesome" as promoting the health of the mind, spirit or body. How nutritious would you believe a stick of chewing gum to be?)

In a full-page comic book ad, Kool Aid says: "Kool-Aid Soft Drink Mix fun is a lot more than sipping luscious flavors. It's balancing a Color-Changing CANNED WIZ-Z-ZER on the tip of your finger and watching blue and yellow dots spin into a green line." ²

In the Appendix, we include many ads taken from 1971 Sunday comics pages and from comic books. Thus we sell edibles to children in the print media. Food is also used to urge the child to involve the whole household in other purchases.

THE SIDES AND BACKS OF BOXES

Within the last year, the side of the cereal box has yielded more nutrition information than ever before. At the same time, however, the back of the box has kept up the bribery offers which beg a child to make his food decisions on some basis other than nutrition. I invite you to review the Rice Krispies ads, both on the box itself and on children's television, and give an instant judgment as to whether the ad is selling a toy or a food. Here is the script of a current Rice Krispies TV ad:

"There will be kids everywhere...
Waking up, waking up...
To Kellogg's Model Sports Cars...
Waking up, waking up.

Now from Kellogg's Rice Krispies
Get a "Mod Rod" Model Sports Car kit!
Get a Porsche...
Jaguar...
Corvette...
or Mustang!

ONE FREE with three "Mod Rod Seals" from three
specially-marked Kellogg's Rice Krispies cereal packages.

Now at your grocer's."

¹Sunday Comics, Tampa Tribune, October 3, 1971.

²Archie Series Comics, December 1970.

If this creates a question in the adult's mind, it must also create a question in the child's mind. It must also indicate to the child that there is no rational way to go about food selection--that food can safely be chosen on the basis of a jingle, whimsy, or a racing car. See Pages 6 & 7.

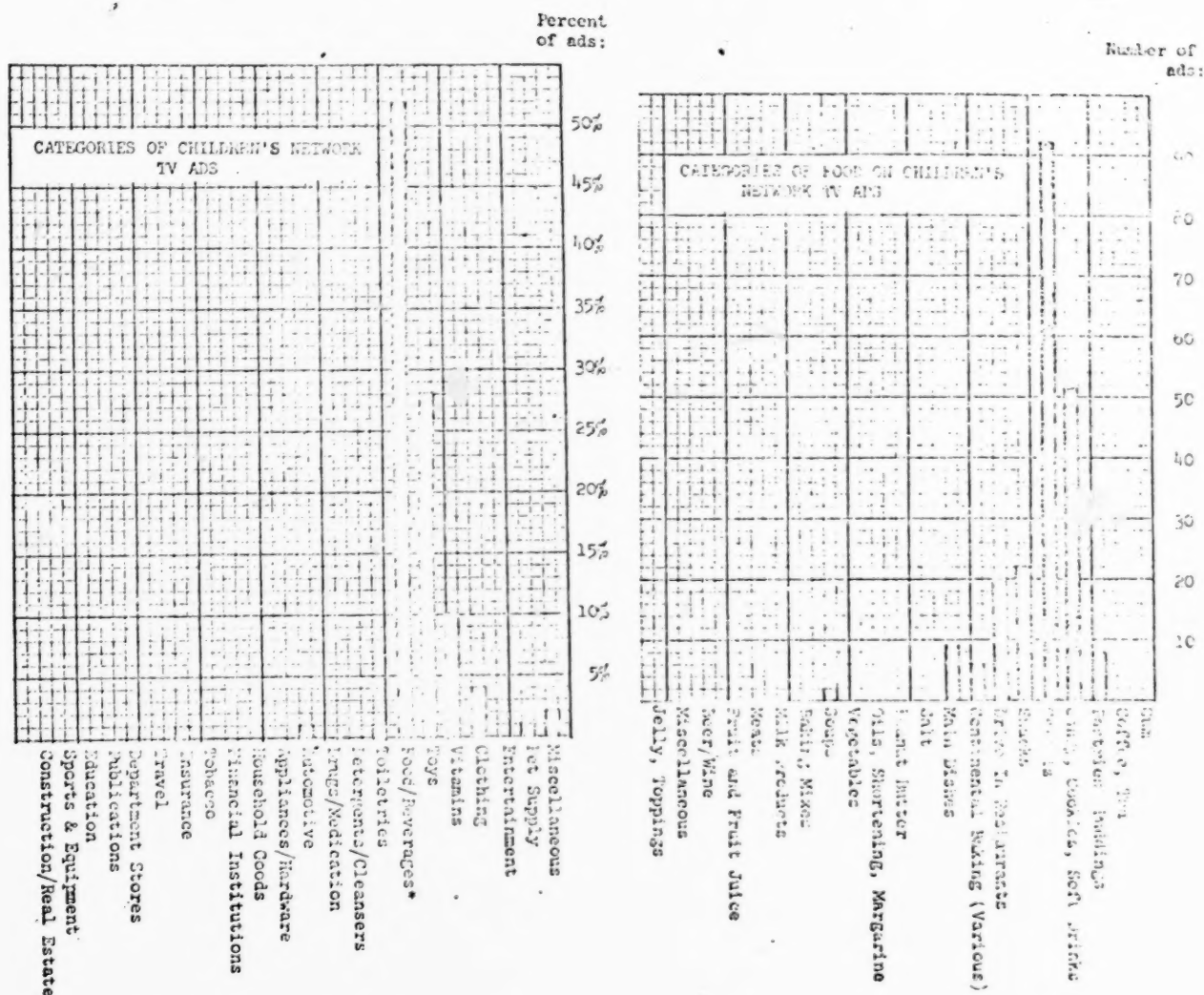
TELEVISION AND EDIBLES

Television has by far the greatest punch in portraying edibles to children. We have commented upon the advertising of edibles with some care before the Federal Communications Commission and before Congressional Committees. (The FCC comments include an analysis of the vacillating role played by the National Association of Broadcasters Code Authority.) Rather than repeat these previous statements, I include them in the Appendix. Two of the graphs, however, are particularly pertinent.

The left-hand graph on page 21 shows the types of products that are advertised to children during a week of Network children's programs.¹ You will note that over 50% of the ads are for edible products. The graph on the right on page 21 shows which edible products are advertised on network children's programs. The graph shows that 92 cereal ads and 50 ads for candy, cookies and soft drinks were directed at children that week by the three networks. An additional 20 ads pushed snack foods and drive-in restaurants, but there were no ads for vegetables, milk products, meats or fruits, at least on network TV.

The Food and Drug Administration has no responsibility for the advertising of food products, but they are responsible for the labeling of foods. They have contracted with the National Academy of Sciences/National Research Council to provide the proper guidelines for nutritional content of certain classes of foods, such as frozen dinners, main dishes, ready-to-eat breakfast cereals, etc. Born of the 1969 White House Conference on Food, Nutrition and Health and promised quarterly since that event by a badgered and bewildered FDA, the nutritional guidelines

¹ Data for both graphs is from Broadcast Advertisers' Reports, Network TV, Week Ending April 11, 1971.



for six groups of popular foods apparently have not reached the halfway mark in their development. Composite dinners may get recommended guidelines before the end of 1971. According to Cornell professor Richard Barnes, Breakfast cereals won't be considered until at least February 1972. Meanwhile, the labels on food containers are undergoing terminology changes. Despite two years work, labels on boxes, packages and cans of food leave the consumer in ignorance of the true contents, just like the advertisements. The FDA, in seeking to placate the food industry, has become incapable of mandatory guidelines on anything. A national nutrition labeling plan administered by FDA under a voluntary compliance philosophy will have no impact, particularly if the advertisements of the foods can contradict the label claims. A label which carefully spells out the protein

provided by a certain food will have little educational impact if the ad for that same food boasts of "giant size protein". Cheerios, by General Mills, is a case in point. It has been considerably fortified/over the past year, but it still does not provide sufficient complete protein to (1) make one's muscles bulge or (2) give one the power to chase elephants and rhinoceroses. Yet the advertisement on television shows just such things occurring.

I have spoken of Libby Frozen Dinners, and they provide another example of the contrast between promise and delivery. Libby's Safari Supper, Sundown Supper and Pirate Picnic are the subject of a frantic advertising campaign aimed at children. The ads avoid nutritional descriptions of the product. I asked the Department of Agriculture for a nutrient analysis of the dinners, on the assumption that they would contain over 2% protein and thus fall under the purview of USDA; but USDA had never heard of them. I went to FDA and was told that their guidelines for composite dinners would NOT include children's dinners and that they did not know the nutrient content of the Libby meals. / I also contacted Libby, both by

letter and by telephone. Dr. James Albrecht, Director of Research, stated that while they were very nutrient conscious, Libby would make no nutrient level decisions until the FDA acts. 5-10% of FDA's Recommended Daily Allowances were their temporary goal as they adjusted their ingredient and seasoning formulation. Thus we find a major advertising campaign aimed at kids - selling a meal of unknown nutrient value. We rely, as elsewhere, on the company's ethics alone.

The lack of truly informative labeling, together with these advertising ploys, manage to keep the consumer in ignorance. I do not think I exaggerate the ignorance of the consumer, even if he or she is truly interested in food. So many foods have changed in formulation and in fabrication, and so many foods have changed

from what they were even two years ago, that a well-educated, prudent consumer probably cannot identify the ingredients or assess the nutrient worth of half the products in today's supermarket.

This stalling and indecision on the part of the NAS/NRC and the FDA leave the food industry completely free to describe their products on television commercials in almost any fashion they see fit. This will continue to be true until you, Mr. Chairman, take some action to correct it.

Mr. Chairman, it is time that you acted on the advertising of energy, of sugars, of proteins, of super-fortified items, and in general on all edible items advertised to children.

Perhaps I should pause here to state that, while I am generally critical of the way edibles are sold in this country, I cannot accept all of the criticism that is directed at the food industry by those with a particular food bias. We are all food faddists. Such is the indecision exuded by the nutrition professionals of this country that faddism sometimes can undermine rational decision-making about nutrition. It behooves the Federal Trade Commission to recognize that there may be faddists within its own ranks and to balance their ideas with other perspectives. Then when outside food faddists or industry critics raise spurious arguments or dwell in the halls of minutia, the Federal Trade Commission will be able to sort out the wheat from the chaff. There is a lot that can be done to correct food advertising, but we serve no good if we criticize industry from positions of ignorance or undeclared bias. My own bias is that I recognize the luxury nature of organic foods, and hence I do believe in restoration, enrichment and moderate fortification of foods as we move toward more and more engineered food products in our food supply.

VOCABULARY

I am a stickler when it comes to nutritional terms. I fear the vocabulary used by nutritionists is designed to cloud simple facts in complex words and phrases. While we cannot expect the Federal Trade Commission to re-design the vocabulary of

the nutrition profession, we can ask that the Federal Trade Commission regulate the usage of some terms which currently are misused to deceive the consumer.

Calories are a case in point. Calories are a measure of heat or energy. Most foods have a calorie content, and some foods like sugar have almost exclusively a calorie content. Sugar contains no vitamins, minerals or protein. Yet the term energy is often used in current advertising as though it referred to the quality of nourishment to be obtained from a food.

Protein is another word loosely used in current practice. Some decision needs to be made on whether the ad-makers should continue to promise "protein to build strong bodies" when in fact the available protein in the product may not contain all the necessary amino acids. There are tests which can indicate the worth of a grain or legume protein, as a fraction of egg or milk-derived proteins.

Some foods lend themselves easily to a nutritional description. Others are more difficult. For some foods, any nutritional mention would be deceiving unless it said simply that the item "has no food or nutritional value." Comparative claims which stress the relative nutritive worth of a food item pose problems to this Commission. In comparing the nutrient contributions of two or more foods, a variation of 1 or 2% of the Minimum Daily Requirement means nothing, but a variation of 1 or 2 milligrams of a nutrient can mean a great deal. Again, the Federal Trade Commission must soon decide what is to be the advertising language for those who wish to make nutritional claims.

We all realize that there is a disposition within the advertising world to warp adjectives. As an example, let me quote an FDA speech on volumes and slack fill:¹

"...we do have reservations about the meaning of some of the terms we find being used to describe packages. It appears that the terms "small," "medium", and "large" have been supplanted by superlatives such as "Tribic Size," "Patio Size," "Gang Size," "Ketchup Lover's Size," "Coffee Lover's Size," and the old standby that really intrigues us, "Fun Size." A preliminary analysis of use of the word "large" also disclosed that in

¹ Speech by John Gomilla, Chief, Fair Packaging and Labeling Branch, Office of Compliance, FDA, at a conference, University of California at Davis, October 12, 1966.

a given food group, it was used to describe packages weighing as little as 5 ounces, as much as 42 ounces, with the following weights in between: 7, 8, 9, 10, 11, 12, 13, 15, 16, 18, and 20 ounces."

AN EXAMPLE

We are now about to provide you with an example of the need for you to provide guidelines about the claims that can be made for a product.

Here is a bowl of a new cereal-like delight which could be put on the market. We call it "Nutri-nos." One cup of this cereal-type product provides the eater with no calories, no protein, no vitamins and no minerals. It is designed to fill you up, but not out. It contains no nourishment. If this product were advertised on the radio, it would be in interstate commerce. What would you let the manufacturer say about this product?

Is it a food? Is it a fun food? Is it designed to make your day brighter? Will serving it to your guests excite them, delight them, and make the party a real housewarming event? Can it give one the feeling of energy without the worries of getting fat? Can one say it has a nourishing flavor, but no nourishing ingredients? Perhaps you smile at the idea of foodless foods coming on the market; but they have been around for centuries. We call them such names as "coffee" and "tea." This product would be the same thing, with bulk added.

The verbal restraints which you should put on advertising this item would become more complex if I told you that there is a second version of this product which contains some calories and a few nutrients. Can one claim they are bursting with energy, packed with the very nutrients identified as necessary by the National Academy of Sciences? Can one say they will permit a child to run and jump and laugh all day? Can one say they are good after football games, or that they meet the teenage sparkle?

Today in the ready-to-eat cereal world, the products range from cereals that are calories and little else, such as Corn Flakes and Rice Krispies, to cereals that are calorie-connected vitamin pills, such as Total and Special K.

Without FTC guidelines on edible advertising terminology, the purveyors of the least nutrition will mask their foods with added doses of fantasy and sugar. The products end up sounding like they have equal worth...but they do not.

NUTRITIONAL BOOBYTRAPS

The Food and Drug Administration is starting to talk about the efficacy of foods. It is time the FTC talked about the most honest way to advertise this efficacy. Should a manufacturer advertise only the nutrients he adds to the food product? Should he advertise the nutrients which are naturally present in the food after processing PLUS the ones he adds? Or should he only advertise the nutrients which clinical tests show that the average consumer would actually absorb?

I am talking about three alternate ways to describe a food's nutrient worth. The FTC must establish which means most to the person who views the advertisement. A word of caution is in order, however: if the standards for advertising nutritional worth are excessively stringent, food purveyors will turn to fantasy to deliver their message; they will not run the risk of offending a nutrition dictator. I believe this would be a step backward in remedying this nation's nutritional illiteracy. FTC thus has a delicate task to perform.

In a word, Mr. Chairman, the FTC must develop an in-house nutrition capacity which it trusts; it must feel free to call upon a small number of nutrition advisors (preferably those who talk with a minimum number of caveats and conditional clauses.) This must be done to give the public a restored confidence in their food supply. It must be done to give the food industry a fair chance to properly advertise the best attributes of its products. The nutritional guidelines of the Food and Drug Administration are grossly overdue. I suggest that, if the Federal Trade Commission must await FDA decisions (and I hope not), the Federal Trade Commission announce interim guidelines for the wording of food claims for products of different nutritive worth. Canada, and several other nations, are far ahead of the USA on this score.

INTERNATIONAL IMPLICATIONS

I would like to interject something here from a recent conference at MIT. It is well known that the agricultural policies of the United States influence agriculture around the world. It is less well recognized that the food advertising policies within the United States also affect nations throughout the world. Two committees have been meeting in the last year on an international basis to try to bring order to world advertising of food. The committees include industry representatives, as well as medical and nutritional professionals. These people seek to minimize the damage done by advertising the wrong foods for the wrong purpose to the wrong people. Let me give you an example. Is it ethical to give status and publicity to an artificial infant milk in a developing African nation when the purchase of same will ultimately lower the nutrient intake of the dismally poor family? Should such a nation ban food advertising or should it expect educational food messages from the food advertising sponsor to target the product solely to the group that can afford it both financially and nutritionally? These gentlemen will meet again in the coming months, and they are well aware that the food advertising policies you set here, Mr. Chairman will help or hinder food advertising around the world. For many a product of dubious nutritional worth, the example of the developing nations applies equally well to the poor of the United States.

THE VULNERABLE CONSUMER

When it comes to advertising foods and beverages to children, we must recognize that the inherited food wisdom which today's adult received from Mother and Grandmother is no longer sufficient for today's child. The generation gap is nowhere so evident as in the kitchen. A moderate TV-watching child views over 5000 commercials for edibles every year. You have only to talk to the mothers in the supermarket aisles to learn how effective is the sponsor's persuasion of their children. Children's advertising makes mockery of your previous witnesses' testimony that their messages cannot create a want.

At least 8 of the heavily-advertised children's breakfast cereals have sugar as their primary ingredient, and nine out of ten advertisements of edibles to children stress sugar, sweetness or "sparkle". In its repeated hammering on a single theme, the sugar campaign resembles the now-outlawed cigarette campaign. It was not the individual cigarette ad that threatened the nation's health; it was their combined impact. Dr. Jean Mayer believes that our knowledge of sugar's deleterious impact upon the body is about as far advanced now as was our knowledge of fats in late the fifties. Sugar and sucrose are very bad for a youngster's teeth. The terrible state of our nation's dental health is indicated by the fact that, for every 100 Army inductees, there are 105 teeth to be pulled and 600 cavities to be filled. The constant advocacy of sugar to those in the age group of 2-12 years cannot help but undermine the cautions of any parent and cannot help but inculcate in the child an urge to sweeten almost every food he eats. There are some signs that Western man's high sugar intake is creating a larger group of us who reveal a vulnerability to diabetes. I hold that this Commission must act on the mass advertising of edible products, as well as on the individual ads, and sugar advertising should head the list.

A CODE ON ADVERTISING EDIBLES

I draw your attention to a Code for Advertising Edibles to Children which the Council on Children, Media and Merchandising redrafted after submitting it in 1971 to a large number of food companies, advertising agencies and broadcasters. While some of the respondents to our letter did not favor any form of moderation, the number that did comment with sincerity leads us to believe that the Federal Trade Commission might do well to make the development of such a Code one of the first tasks of its (suggested) Children's Merchandising Division. A children's code might cover all advertising to those under 16.

COMMENTS OF EARLIER INDUSTRY WITNESSES

The testimony previously given this Commission invites rebuttal and, on occasion, ridicule. To save space I have matched seemingly conflicting statements by industry witnesses in Appendix C.

Several statements need refutation here and now. Dr. Seymour Banks of the Leo Burnett Company testified before you on the really minor impact which advertising to children has. In one part of his presentation, he cast aspersions on the parent's influence on his child by saying, "Why are parents being ineffective in this crucial area?" I hold that since 1945 television has become an additional parent in the home. In homes where the television is the second parent, it is of particular influence, since it often plays the role of babysitter. In families where two real parents are present, television still represents the equivalent of a salesman being permitted to come through the door twenty times per hour, half the time with sweets in hand. The argument was put very clearly by Dr. John Condry of Cornell University on November 8:

"In the long run, the problem of rearing children to be responsible cannot be helped by these manipulations [in advertising]. Parents, already overburdened in terms of a lessening of other responsible influences in the child's life, are forced to counteract the effect of dishonest and manipulative ads and to watch their children grow increasingly materialistic in the face of a massive bombardment of commercial messages telling them that they 'need' things that are, in fact, unnecessary and that certain things are good for them which are, in fact, not good at all, given the range of possibilities."

It has been fairly well documented in testimony before this Commission and in Norman S. Morris' book Television's Child that children watch a great deal of evening television. If a child watches television with his parents, he may receive some benefit from their skepticism about commercial messages. A number of studies can be cited, however, which reveal that poverty-stricken children watch television unattended. None of this excuses many of the advertisements aimed exclusively at children--ads intended to be interpreted by the child himself. Dr. Seymour Banks cites Professor William D. Wells' statement that "most children do not actually believe that monsters exist or that a candy bar will make a child strong enough

to conquer an adult..." Yet in the same statement Dr. Banks reported the finding of a major advertising agency that "...the child from 5 to 8 years is keenly interested in things which might physically enhance his self-concept in relation to his environment: he wants to grow taller, and to acquire big things, to go fast and to be strong." I do not understand how Dr. Banks can reconcile such conflicts, which appear regularly throughout his paper.

Dr. Banks further stated that "We do not attempt to alter [children's needs and desires] through advertising but, rather, we alter advertising to be compatible with the existing child attitudes." Mr. Chairman, on the morning of Saturday, October 3, 1971, the networks carried the following advertisements between 9:30 a.m. and 11:30 a.m.: (See Appendix H).

	<u>ABC</u>	<u>CBS</u>	<u>NBC</u>
Edibles advertised	<u>25</u>	<u>18</u>	<u>18</u>
Pills advertised	0	6	0
Toys advertised	<u>22</u>	<u>23</u>	<u>18</u>
TOTAL	<u>47</u>	<u>47</u>	<u>36</u>

These figures do not include local spot ads. In one hour on that particular morning, ABC carried four advertisements for Kellogg's Sugar Frosted Flakes.

In one hour CBS carried three advertisements for Mattell's Hot Wheels. In 70 minutes ABC carried four advertisements for Hasbro's GI Joe Adventure Sets. All six of the vitamin pill ads were shown on CBS between 9:09 a.m. and 10:06 a.m.

In a two hour period ABC carried five advertisements for Hasbro's Love Teenage Doll. ("Love and her friends are all part of the world of love--sold separately.") I cannot reconcile this massive brainwashing campaign with Dr. Banks' statement.

In discussing research on child development, Dr. Banks states that Dr. Wells "...found children were extremely interested by all possible information about the product, its preparation and use presented pictorially (not verbally) and by scenes that showed it meeting one or more of their needs." It is precisely this eagerness to learn which invites more solid nutritional information from those who advertise foods, particularly to children. It can be done. Here, for instance, is a film of a commercial developed by the DuPont Company about the benefits of soybeans.

(Show film)

VARIATIONS OF COMPANY POLICY

In early October, noting the dominant advertisers of edibles on children's programs, we wrote to the major food company sponsors. The letter is included in Appendix D. We presumed that after all the nutritional stir of this past year the major food companies would have developed policies for the formulation, merchandising and advertising of their food products. We further presumed that they would be sufficiently proud of any such document to share it with the public. The Quaker Oats Company replied instantly with their well-thought-out policy statement. General Mills and Pillsbury did likewise. Kellogg indicated that it had little confidence in a piece of paper but held that "we believe that dedication to a principle rather than a document permits the flexibility necessary to meet changing consumer needs and desires." (This is a laudable policy, but their principles are hard to reconcile with their ads. Corn Flakes and Rice Krispies are among the least nutritional of their products, but you would never know it from the ads.) Hershey and Borden both submitted letters describing their policies. Keebler

admitted to having no written policy relating specifically to children, and M & M/Mars rather curtly suggested that we gather our information from the trade association comments at these hearings.

It is interesting to note, however, that General Foods--the nation's largest food advertiser--replied that "our policies are internal documents intended for the guidance of our organization and are not available to the public."

It seems to this observer that the Federal Trade Commission, interested as it is in the documentation of claims in other fields, might be well advised to seek from every advertiser of edibles to children, documentation of the nutritional worth of their product, documentation of any nutritional claims they make, and a statement of each company's policy relating to merchandising to children, including the formulation, merchandising and advertising of its products.

THE FREE ENTERPRISE MARKETPLACE

Whenever the industries fear that some regulation is about to be proposed, they seem to respond in chorus that the free enterprise system is being threatened.

Mr. Achenbaum of the J. Walter Thompson Company (see Appendix E for a listing of ad agencies and the food accounts they handle) stated: "If you give consumers the impression that advertisers are in some way manipulating them, if you help to fan the myth that advertising is mesmerizing and seducing the buying public, you shall have gone a long way toward impairing the effectiveness of a free, competitive marketplace." (emphasis added) I have never felt that any aspect of American life was truly free if it could only be exercised by the rich and the powerful. The poor and the ignorant have a right to demand freedom from coercion, freedom from misinformation and freedom from intense pressure on their children to squander the family's hard-earned dollars. These are freedoms which are just as important as the freedom of the AAAA's to huckster their goods to the nation's children.

Mr. Don Kendall of the Pepsi Cola Company exhibited some of this same righteous indignation in his statement of October 20, according to Advertising Age.

He questioned the motives of his critics. This gentleman is Chairman of the Grocery Manufacturers of America, a group that has a very modest track record as we seek to alleviate hunger and malnutrition among the nation's poor. It is time that both Dr. Achenbaum and Mr. Kendall perceived that a great deal of competition has already gone out of the free enterprise marketplace. Such competition as still exists is not for lower prices or for better goods, but for more effective advertising. Many ad men, incapable any longer of judging the gradations between puffery and lying, now compete with each other in "kindling latent or dormant or previously unperceived desires" by singing the praises of a product in a way that tells the consumer nothing of its real worth.

Mr. Kendall went on to say that "...in my experience, no amount of advertising can force any large number of people to buy things they don't want." My response is that advertising makes people want something once they have perceived that it is waiting somewhere on a shelf for them. Only through advertising could a child discover that there is a General Mills product to eat called Count Chocula or Frankenberry. Only through advertising could a child get the urge to eat a ghou.

THE ADVERTISERS' SELF DECEIT

It might interest this Commission to know of a confidential "Special Report" from Peter W. Allport, ANA President, to those agencies worried over these FTC hearings. In a statement dated September 10, 1971, he stated that the ANA/AAAA testimony before the FTC would among other things:

" Refute the charges against advertising which we can anticipate will be made. Among these are contentions that:

- a. Advertising molds or forms society's values and outlooks.
...In truth, advertising follows [those values and outlooks.]
- b. Advertising makes people buy products which they don't want or need...Advertising may have the capability of suggesting that something new be tried, but it can never force or induce re-purchase of unwanted products..."¹

Does the public really demand that there be more than 60 ready-to-eat dry cereals? And does advertising inevitably follow this demand, if it exists? Does the constant changing of cereal toy premiums stem from public demand for

¹ See Appendix F for full letter supplied through courtesy of Consumer's Newsletter.

plastic toys in their children's cereals? Does a company advertise its product four times an hour to kindle previously unperceived desires in the viewers?

Mr. Allport's letter, and much that has been said with such apparent sincerity by the ANA/AAAA members is balderdash! These men have established a set of commandments to justify their seduction of children and adults alike.

Referring to the formation of a National Advertising Review Board, I suggested Chairman of General Foods, the nation's second largest advertiser, to Tex Cook/this spring that advertising men, afloat in a world of puffery, have lost the ability to judge when they are lying. His response to me was: "I fear you are correct."

Advertisers and food company sponsors have swallowed whole the shibboleth that you can't sell nutrition. Madison Avenue believes this because it has not wanted to study nutrition. Sponsors believe this because of half hearted attempts and resultant failures in past years. The country is interested in nutrition today. Educators and parents cannot stand up against the onslaught of misinformation provided by TV commercials; public service spots will not suffice. Food advertising has to become factual and educational. Here is an example of an ad displayed on local DC Transit buses, which is attempting to educate the bus-riding public. (Exhibit) The DuPont ad which I showed earlier was an attempt to educate the public. Why can't the AAAA/ANA brains establish a contest for the ten best nutritional ads to be produced by July of 1972? If the prize is big enough, the copywriters will respond.

REFORMS

There are a number of actions which the FTC can take to correct present practices which are unfair to children. We have already mentioned the need for a Children's Merchandising Division within the FTC, the need for a Code for Advertising Edibles, the need for substantiated statements of nutritional worth for every edible advertised, the need for building FTC's nutritional competence, and the need for affirmative company declarations of policy on manufacturing, merchandising and

advertising to children.

The Federal Trade Commission can innovate and perhaps thereby upgrade children's television. Advertisements to children might well be marked or framed to identify them to children as something very different from program material or documentary reporting. The frame might blink "advertisement" as the commercial is being shown. The commercial further might be identified by a coded signature in the lower right corner of the picture. The code would reveal the name of the agency which developed the ad and would be a public document. Thus agencies which are proud of their messages could be applauded for their work by anyone interested enough to obtain a copy of the code.

In the world of edibles, product managers represent the focal point of corporate responsibility. The new Internal Revenue Code holds foundation officers personally responsible for their grantmaking errors. I ask the FTC to seek the power to hold product managers personally responsible for a product's quality, merchandising and advertising. (We have received from Pillsbury a very excellent statement which outlines ^{brand manager} responsibilities within their company for product quality and advertising. Surely such a document could be provided by each advertiser.)

In the world of child motivation studies, the overwhelming repository of factual materials is in industry's files. Even such institutions as NIMH have barely scratched the surface of children's television analysis. Professor Scott Ward's testimony will bear this out.

Dr. Burleigh Gardner of Social Research, Inc., thoroughly experienced in advising corporations on how to make their advertising more effective, strongly believes that business must think more broadly about social responsibility and act accordingly. He is worried over the dearth of information on how television affects children. He sees no problem in asking corporations whose advertisements are based on motivational research to share the results of that research after a self-utilization period has passed. In a sense, the searching out of this corporate information is as justifiable as the searching out of factual support for an

advertising claim, for it will give the parent an understanding of "how" as well as "what" his child is being told. Your witness Mr. Achenbaum said on October 28 that consumers "freely supply information to those advertisers who seek it. There is not underhanded or hidden in the process." Mr. Achenbaum, we consumers ask the same expression of cooperation from agencies and sponsors who now withhold information from the public on how they motivate the child to buy, buy, buy.

An additional point can be made on research behind food products. Some data is protected as a "trade secret" long after any trade advantage has evaporated. Other research relates to the public's well being and, positive or negative, should become part of medical lore even while research is continuing. General Foods, Kellogg and others have extended files on the cariogenic (cavity-producing) effects of their products. They have been experimenting with variations of tri-sodium phosphate and other additives in the mid-west for over 5 years. These tests reveal the cavity-producing potential of such drinks as Tang and Kool-Aid, and such cereals as Sugar Frosted Flakes. This information should come into the public domain, especially since these products are advertised nationally. According to Dr. A. E. Nizel of the Tufts Dental Center, cavities caused by sugar are America's "most prevalent form of malnutrition."

CONCLUSIONS

Today in American commerce there is an ever greater temptation to sell to and through children. Kids can be programmed to repeat messages to their purse-holding parents; sometimes the message becomes more persuasive through the family tie. Dr. Ernest Dichter of the Institute for Motivational Research told me that he persuaded General Mills to have a "kid come on the (Wheaties) ad first and say 'look at this performance chart!' ... Having kids lead into ads is more persuasive." Advertisers now are not using child actors to say their spiel; they are using the children of this country to persuade parents. Blacking out the TV set, the comic book, the radio and the breakfast-table billboard is not the answer, for a child is also influenced by what ads his peers have seen and read and heard.

Today's commercial is too seldom seen by those in the professions; viewing and commenting upon such trash seems to be beneath their dignity. We have left the describing of food to copywriters and lawyers; their ignorance in the field of nutrition may even exceed that of the general public. Thus it falls to laymen to cry out "Stop! Stop offending my child!"

The advertisers' mad pursuit of your child and mine, particularly on television, brought FCC Commissioner Nicholas Johnson to compare that medium with the child molester that offers candy and sweets to the unsuspecting. He is not far wrong, Mr. Chairman. You and this Commission can take the lead, bring the FCC and the FDA into the effort, and tightly restrain this country's merchants from coveting our children's purse.

MARKETING

Ideal's significant growth in sales volume for fiscal 1971 resulted from a greater number of products available to consumers through substantially more retail outlets and supported by a record number of selling messages through television.

A record communications budget planned for 1971 will employ network and local spot television advertising to reach children and their parents with our product messages. Because our distribution system now is truly national, we are able to take full advantage of the impact and economic benefits of network advertising.

To gain maximum effectiveness from this ambitious program, Ideal has created a highly sophisticated system — Customer Area Media Planning — which combines computer technology and skills of our experienced media managers to produce the most motivating media pattern for each customer's area.

Through more extensive use of evening television program advertising, our popular family games and new adult games will gain increased exposure in the responsive adult market. The development of this advertising technique will complement and reinforce sales efforts for our children's products.

Ideal continues to increase the variety of productive, high-visibility consumer promotions which stimulate retail store traffic during the once slow January to June period.

IDEAL TOY CO.....1971 ANNUAL
REPORT

PRODUCTS

In 1970, the toy industry registered a sales gain for the twelfth consecutive year, reaching a record volume of \$2.26 billion at the manufacturers level — more than \$3 billion in retail sales. For the twelve year period the compound annual growth rate exceeded 10 per cent.

Ideal continues to grow at a rate well in excess of the industry average and this year we are marketing a highly innovative line to follow 1970's successes.



Hasbro Toy Division

ANNUAL REPORT 1971

The Toy Division, the largest single component of Hasbro Industries, Inc., has over the last several years undergone some sweeping changes in management and product lines. These changes were brought about as a result of the substantial growth that the company enjoyed in the mid sixties and, further, as a result of the problems and challenges spurred by that growth. In the 1969 annual report much of the discussion about the Division concentrated on the management team. There has been still further and significant strengthening of that group to provide for balance and depth in day-to-day operations and long term planning. As we told

our management story in last year's report, this year we feel it is important to cover in great depth the product lines of the Division. The toy business is, in many respects, a new-product business and, therefore, you, the stockholders, should be kept well abreast of our efforts in this area. The Hasbro Toy Division, even as it grew in the late fifties and throughout the sixties, did not enter into many of the largest categories of toy sales, such as, preschool toys, dolls and non-riding transportation vehicles. Over the past several years we have conducted in-depth studies of all these categories, and starting

in 1970, with the introduction of the Romper Room preschool product line, we began our assault on these large and attractive segments of the business. A discussion of our major categories ensues, beginning with the Romper Room story and a recap of our G. I. Joe product story, and then continuing with an analysis of three new markets that we have entered in 1971.

Romper Room Toys

The preschool category is the most coveted of all toy categories. It is large and growing larger.

Romper Room Enterprises, Inc.

Romper Room proudly begins its nineteenth television season with exciting plans for 1971. These plans, which are the result of extensive research conducted during 1970, call for important new segments in the vital preschool areas of perceptual motor development and visual perception. In developing these segments, the Romper Room staff worked diligently with such highly regarded organizations as the President's Council on Physical Fitness and Sports and the Kennedy Institute, a branch of Johns Hopkins Hospital.

During 1970 the Romper Room television show was viewed daily by millions of preschoolers and their parents in over one hundred American cities and in forty-one foreign cities. In each city a local teacher and six local children appear on the program and participate in activities outlined in a lesson plan developed by the Romper Room staff.

In 1970 the American Dental Association cited Romper Room for its work in the area of dental health. The National Tuberculosis and Respiratory Diseases Association presented Romper Room with an award for outstanding participation in the fight against tuberculosis and other respiratory diseases.

After eighteen years the Romper Room staff and its advisors from Hood College continue to strive for higher goals. Romper Room believes that our young children are America's greatest resource and Romper Room will continue to do its very best to prepare these children for the school years ahead.

Romper Room Schools

The year 1970 marked the entree of Romper Room Schools, Inc. into the preschool and day care industry. The fall openings of three pilot units in Rhode Island were met with enthusiasm from parents, educators, and national news media.

The East Providence School provided the setting from which a special ABC news report on nursery school and day care centers was telecast. Romper Room Schools have also been written about by McCall's and Business Week in feature articles about this new and burgeoning industry.

Romper Room Schools' combination of unique, functional buildings and the philosophy of Open Education administered by dedicated staffs have attracted the attention of teachers and members of both public and private agencies in the education field throughout the nation. They have been delighted to observe the new, exciting experience offered to hundreds of Rhode Island pre-schoolers attending Romper Room Schools in safe, comfortable surroundings.

In order to provide the Rhode Island School staffs ample time to fully polish the sundry operational and educational aspects of Romper Room School activities, Management has decided to temporarily suspend expansion plans for Romper Room Schools, Inc. This approach is in line with the parent company's demand for careful research, analysis and testing before launching a broad scale expansion program for products or services.

APPENDIX C

REBUTTAL

The Federal Trade Commission has heard many witnesses give the agency and industry perspective of what constitutes advertising. Many comments invite correction; when judged from the perspective of children's advertising, several comments are simply not true.

EXAMPLE: "Advertising cannot sustain interest in a product that the consumer doesn't want."

Preston Townley, Marketing Director of
Family Cereals, General Mills, October 29, 1971

COMMENT: Then why insert a premium in a food package and urge children to collect a full set of the premium cards or toys or whatever?

* * *

EXAMPLE: "In 1937 the National Association of Broadcasters promulgated an advertising code for radio, and in 1952 for television; and both codes have been actively enforced since then."

Lee Loevinger, Esq., October 23, 1971

COMMENT: Let me quote Stockton Helffrich, Director of the Code Authority, National Association of Broadcasters, under questioning by T. J. Odin, Counsel of the House Select Committee on Small Business, August 6, 1971:

"Odin: That was the last time any station was disaffiliated?

Helffrich: Correct.

Odin: And that was in the early 1960's?

Helffrich: No. It dates back even further than that. I think it was in the late 50's.

Odin: So in the last decade there hasn't been any station disaffiliated by positive act of your code?

Helffrich: That is correct."

* * *

EXAMPLE: "...advertising has not and cannot invent a human want. Advertising can and does cultivate or kindle latent or dormant or previously unperceived desires for certain products. Thus it cannot add to or subtract from the human senses or the characteristics placed in us by God and Nature."

Don Kendall, Chairman of Pepsico, October 20, 1971

COMMENT: "Children's spontaneous attitudes toward commercials are different from the established beliefs of the adults. They are more open-minded, more

REBUTTAL

attracted to them. In fact, small children often have as much interest and warmth for the commercial as for the show. They are quickly stimulated to want a product by its use by a loved hero or character."

Dr. Seymour Banks, Leo Burnett Company, Inc.
October 1971

* * *

EXAMPLE: "It is the consumer, not the advertiser, who defines what is necessary and what is not."

Elisha Gray, II, Chairman of the Board,
Council of Better Business Bureaus, October 28, 1971

AND

"Children and consumers are not subject to unfair and deceptive manipulation by advertisers."

Barton Cummings, Co-Chairman of the
AAAA-ANA Committee, October 28, 1971

COMMENT: I quote Dr. Bruce Morrison, Psychology Professor at Miami University:
"...the balance of experimental results reviewed and reported in a paper by Robert E. Zajonc (1968) was in favor of the hypothesis that mere repeated exposure of an individual to a stimulus object enhances his attitude towards that object."

In this regard, I point to the fact that, unlike most adult advertising, many commercials aimed at children are repeated three and four times in a single morning.

* * *

EXAMPLE: "...let me be quick to point out that advertising and brand confidence alone are not enough. The quality must be in the product. It must deliver on its promise to the consumer or she will not make that all-important repeat purchase. But without advertising she wouldn't know about it in the first place. And without repeat purchases, products and businesses wither and die."

C. W. Cook, Chairman, General Foods Corporation
October 20, 1971

COMMENT: "...some of the product qualities desired are not ingredients or functional benefits. So called emotional benefits play a role in what people get out of a product...To prevent the sale of products which do not satisfy these emotional desires is to deny people the right of free choice."

Alvin A. Achenbaum, October 28, 1971
J. Walter Thompson Company

* * *

EXAMPLE: "We do not attempt to alter [children's needs and desires] through advertising but, rather, we alter advertising to be compatible with the existing child attitudes."

Dr. Seymour Banks, Leo Burnett Company, Inc.
October 1971

REBUTTAL

3

COMMENT: "While advertising affects their attitudes, it hardly mesmerizes them...People are not relying solely on what they hear or see...If people are going to be influenced, information must be placed in a persuasive context."

Alvin A. Achenbaum, J. Walter Thompson Company
October 28, 1971

Let me cite the way the Bordon Company placed "information" in a persuasive context earlier this year in a TV ad:

"What do ya want
When ya gotta eat sump'in
And it's gotta be sweet
And it's gotta be a lot
And ya gotta have it now?
Lip-smacking, whip-cracking,
Patty-wacking,
Inky-nacking,
Zalaba-wacking,
Sculaba-zacking,
Cracker-jacking,
Cracker Jack!"

* * *

EXAMPLE: "Close scrutiny of the marketing process shows that consumers are not passive participants in their purchasing behavior. They are active, knowledgeable, experienced buyers--particularly for those products which are most likely to be advertised nationally. They seek information given in a persuasive context and they freely supply information to those advertisers who seek it. There is nothing underhanded or hidden in the process."

Alvin Achenbaum, J. Walter Thompson Company,
October 28, 1971

AND

Eugene Case of Case & Krone, New York, stated on November 4, 1971, that puffery is harmless because it is recognized as such by the vast majority. He said that the overall impact of a commercial is more important than the validity of its independent elements.

COMMENT: "The test of reality applied by children to programs and commercials is theirs, and not the adults'."

Dr. Seymour Banks, Leo Burnett Company, Inc.
October 1971

AND

"To assume an ad is comprehended the way we intend it to be is naive to the extreme."

Dr. James Engel, Professor of Marketing,
Ohio State University, October 29, 1971

* * *

COUNCIL ON CHILDREN, MEDIA AND MERCHANDISING

1346 Connecticut Avenue, Washington, D. C. 20036

Telephone: 202/466-2584

October 8, 1971

Members:

Mrs. Janie Boyd
Mrs. Peggy Charren
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Julius Richmond, M.D.
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Robert B. Choate, Chmn.

Mr. C. W. Cook
Chairman
General Foods Corporation
250 North Street
White Plains, N.Y. 10605

Dear Mr. Cook:

As you know, the Federal Trade Commission is undertaking hearings this fall on modern advertising practices. The hearings will include "in-depth examination of children and advertising."

After the uproar of last July, I would presume that the major food companies which advertise their products to children would have formulated a policy to guide product managers in the development, merchandising, advertising and distribution of their products. I would presume that such a statement would be a matter of company pride and would be a public document.

If these presumptions are correct, I would like to request a copy of your company's statement of manufacturing, merchandising and advertising policies as they relate to children.

May I hear from you on this?

Sincerely,

Robert B. Choate

FIFTY LARGEST FOOD COMPANIES BASED ON 1969 ADVERTISING EXPENDITURES

1. GENERAL FOODS

Benton & Bowles, Inc. (New York)
 McCann-Erickson (New York)
 Grey Adv., Inc. (New York)
 Ogilvy & Mather, Inc. (New York)
 Young & Rubicam, Inc. (New York)

2. GENERAL MILLS

Needham, Harper, & Steers, Inc. (Chicago)
 Dancer-Fitzgerald-Sample, Inc. (New York)
 Dancer-Fitzgerald-Sample, Inc. (California)
 Campbell-Mithun, Inc. (Minneapolis)
 Knox Reeves Advertising, Inc. (Minneapolis)

3. KRAFTCO

N.W. Ayer & Son, Inc. (New York)
 J. Walter Thompson Co. (Chicago)
 Foote, Cone, & Belding, Inc. (Chicago)
 Needham, Harper & Steers, Inc. (Chicago)
 Clinton L. Frick, Inc. (Chicago)
 Richard K. Manoff, Inc. (New York)
 Buchen Adv. Inc. (New York)
 Bliss Gruenwald Inc. (New York)
 Simon & Gwynn, Inc. (Memphis)

4. KELLOGG

Leo Burnett Co., Inc. (Chicago)

5. CAMPBELL SOUP

Batten, Barton, Durstine & Osborn, Inc. (New York)
 Leo Burnett Co., Inc. (Chicago)
 Ogilvy & Mather, Inc. (New York)
 Needham, Harper & Steers, Inc. (Chicago)
 Needham, Harper & Steers, Inc. (New York)

6. CARNATION

Erwin Wasey, Inc. (Los Angeles)

7. WARNER-LAMBERT, AMERICAN CHICLE DIV.

Ted Bates & Co., Inc. (New York)

8. QUAKER OATS

Adcom, Inc. (Chicago)
 J. Walter Thompson Co. (Chicago)
 Glenn Adv. Inc. (Dallas)
 Doyle Dane Bernbach Inc. (New York)
 Campbell-Mithun, Inc. (Chicago)

APPENDIX E

9. WM. WRIGLEY
Arthur Meyerhoff Assoc., Inc. (Chicago)
Clinton E. Frank Inc. (Chicago)
10. PROCTOR & GAMBLE, food/ FOLGER COFFEE
Cunningham & Walsh, Inc. (New York)
11. STANDARD BRANDS
J. Walter Thompson Co. (New York)
Ted Bates & Company, Inc. (New York)
L.W. Ramsey, Company (Davenport, Iowa)
Marketing & Advertising Associates (Philadelphia)
12. GENERAL HOST, ARMOUR-DIAL, ARMOUR/misc.
Foote, Cone & Belding, Inc. (Chicago)
Young & Rubicam, Inc. (Chicago)
North Advertising Inc. (Chicago)
13. PILLSBURY
Leo Burnett CO., Inc. (Chicago)
Batten, Barton, Durstine & Osborn (New York)
14. RALSTON PURINA
Cunningham & Walsh (New York)
D'Arcy Advertising (St. Louis, Mo.)
Wells, Rich, Green, Inc. (New York)
15. NESTLE
Leo Burnett Co., Inc. (Chicago)
Case & Krone Inc. (New York)
Wilson, Haight & Welch, Inc. (Greenwich, Conn.)
16. ITT CONTINENTAL BAKING
Ted Bates & Company, Inc. (New York)
Grey Advertising (New York)
17. BORDEN
Grey Advertising (New York)
Lilienfeld & Co. (Chicago)
18. CPC INTERNATIONAL, BEST FOODS DIV.
Dancer-Fitzgerald-Sample, Inc. (New York) *Attention: Advertising*
Second Floor (Chicago) *100 N. Dearborn St. (Chicago)*
19. NATIONAL BISCUIT
McCann-Erickson, Inc. (New York)
Buchen Advertising Inc. (New York)
Ted Bates & Co., Inc. (New York)
Wm. Esty Co. Inc. (New York)

APPENDIX E

20. NORTON SIMON, HUNT-WESSON FOODS
Young & Rubicam, Inc. (Los Angeles)
Wm. Esty Co., Inc. (New York)
Stern, Walters & Simmons, Inc. (Chicago)
Carson/Roberts/Inc. (Los Angeles)
21. T.J. LIPTON
Young & Rubicam, Inc. (New York)
Spiro & Walpert Assoc. (Philadelphia)
SSC&B Inc. (New York)
Edward H. Weiss & Co. (Chicago)
Ketcham & MacLeod (New York)
22. H.J. HEINZ
Doyle Dane Bernbach Inc. (New York)
Ketcham, MacLeod & Groves, Inc. (Pittsburg)
23. PEPSICO, FRITO-LAY DIV.
Tracy-Locke Co., Inc. (Dallas)
Young & Rubicam Inc. (New York)
Foote, Cone & Belding Inc. (New York)
Lee & Associates (Los Angeles)
24. AMERICAN HOME FOODS
Young & Rubicam (New York)
Cunningham & Walsh (New York)
25. BEATRICE FOODS
Post, Keyes, Gardner, Inc. (Chicago)
I/Mac Inc. (Chicago)
Feldman & Norton Inc. (Chicago)
The Harpham Co. (Chicago)
Glenn Adv. Inc. (Dallas)
Daily & Assoc. (Los Angeles)
The Zlowe Co. (New York)
Varon Adv. (Michigan)
MacManus, John, & Adams, Inc. (Chicago)
Cummings, Brand, McPherson Assoc., Inc. (Rockford, Ill.)
Central Adv. Agency (Lima, Ohio)
Smith-Winchester Adv. Inc. (Doughfield, Mich.)
26. CONSOLIDATED FOODS
McGraw-Erickson, Inc. (Chicago)
Krupnick & Assoc., Inc. (St. Louis, Mo.)
Hofer, Dieterich & Brown, Inc. (San Francisco)
Stiefel/Raymond Advertising Inc. (New York)
27. COCA-COLA FOODS
Marshalk Co. (New York)
Tatham-Laird & Kudner, Inc. (Chicago)

APPENDIX E

28. DEL MONTE
McCann- Erickson (San Francisco)
Dailey & Assoc. (San Francisco)
29. FLORIDA CITRUS COMMISSION
Lennen & Newell Inc. (New York)
Enloe Stalvey & Associates (Washington, D.C.)
Pritchard Wood Assoc. Inc. (New York)
Dudley-Anderson-Yutzy (New York)
30. LEVER BROS., FOOD PRODUCTS DIV.
Batten, Barton, Durstine & Osborn, (New York)
Doyle, Dane, Bernbach, Inc. (New York)
Ogilvy & Mather, Inc. (New York)
31. PET
Henderson Adv. Agency (Greenville, S.C.)
Batz-Hodgson-Neuwachner, Inc. (St. Louis, Mo.)
Al Maescher Adv. Inc. (Clayton, Mo.)
Gardner Adv. (St. Louis, Mo.)
Doyle Dane Bernbach, Inc. (Los Angeles)
32. R.J. REYNOLDS FOODS
William Esty Co., Inc. (New York)
J. Walter Thompson Co. (Chicago)
33. OSCAR MAYER
J. Walter Thompson (Chicago)
34. GREEN GIANT
Batten, Barton, Durstine, & Osborn, Inc. (New York)
Leo Burnett Co., Inc. (Chicago)
35. STOKELY-VAN CAMP
Lennen & Newell, Inc. (New York)
Handley & Miller, Inc. (Indianapolis)
36. LIBBY, MCNEIL & LIBBY
Tatham-Laird & Kudner (Chicago)
37. ANDERSON CLAYTON
Cunningham & Walsh (New York)
38. AMERICAN DAIRY ASSOC.
Leo Burnett Co. (Chicago)
39. OCEAN SPRAY CRANBERRIES
Ted Bates & Co., Inc. (New York)
Young & Rubicam Inc. (New York)

40. SQUIBB BEECH-NUT, BEECH-NUT LIFESAVERS
Dancer-Fitzgerald-Sample, Inc. (New York)
41. GEO. HORNEL
Batten, Barton, Durstine & Osborn, Inc. (Minneapolis)
42. SUNKIST GROWERS
Foote, Cone & Belding, Inc. (Los Angeles)
43. PETER PAUL
Dancer-Fitzgerald-Sample, Inc. (New York)
Benton & Bowles Adv. (New York)
44. R.T. FRENCH
J. Walter Thompson Co. (New York)
45. GERBER
D'Arcy Adv. Co. (Chicago)
46. JENO'S
J.F.P. & Associates, Inc. (Duluth, Minn.)
47. CASTLE & COOKE
Foote, Cone & Belding, Inc. (San Francisco)
Richard K. Manoff, Inc. (New York)
N.W. Ayer & Son, Inc. (Philadelphia)
48. KEEBLER
Leo Burnett Co. (Chicago)
49. AMK, UNITED FRUIT, JOHN MORRELL
Batten, Barton, Durstine, & Osborn, Inc. (New York)
Kenyon & Eckhardt Adv., Inc. (Chicago)
Lennen & Newell/ Midwest (Chicago)
50. LITTON INDUSTRIES, STOUTER FOODS
Ketchum, McLeod & Groves, Inc. (Pittsburg)

Consumer Newsweek

With News You Can Use

Oct. 18, 1971 Washington, D.C.

Introducing...

Consumer Newsweek, a new weekly newsletter with important news and separate reports affecting the economic and physical welfare of all consumers.

Subscribers to U.S. Consumer will automatically receive Consumer Newsweek, doubling the issues now received, without extra charge.

See inside for special introductory offer to new subscribers.

WASHINGTON HIGHLIGHTS

...Some sort of public warning is being prepared by the National Highway Traffic Safety Administration on Chevrolet engine mounts which break loose and cause major accidents. Ralph Nader, citing evidence of a structural weakness in mounts relying on adhesive, got NHTSA to reopen an investigation into the problem. Models include full-size Chevrolets of 1966-1969 vintage and Camaros of 1967-1969. Meanwhile, Nader aides advise all owners of these cars to have the mounts replaced by interlocking type. Probably cost about \$30.

...To help spot possible violators of wage-price freeze, the Consumer Federation of America has set up a clearinghouse and called on member organizations and volunteers to send in reports. Address Retail Employee's Price-Watch, c/o CFA, 1012 14th st. nw., Washington.

...Senate Commerce Committee ended hearings last week on no-fault car insurance, is now revising bill introduced by Sens. Hart and Magnuson. At the same time, Massachusetts Insurance Commissioner J.G. Ryan has demanded rate decreases. He says they are due because costs under no-fault have dropped 50%.

FTC AD HEARINGS TAILORED TO INDUSTRY WISHES

Madison Avenue is set to dominate the Federal Trade Commission hearings on advertising's impact beginning here on Wednesday (Oct. 20). Elaborate industry planning and many advance contacts with FTC officials have wrung concessions unprecedented for such affairs.

A confidential report circulated among industry leaders reveals that strong pressures were put on the agency, resulting in an unusually heavy schedule of industry spokesmen, timing designed to offset critics for headline purposes, and auxiliary hoopla that threaten to turn the whole affair into little more than a government-sanctioned commercial for the advertising business.

The secret memo discloses that the principal industry planning was done by a joint committee of officials from the Association of National Advertisers and the American Association of Advertising Agencies. A nationwide public relations and advertising campaign has been planned to coincide with industry testimony.

Admen got the FTC to allot 4½ days of hearings to what the industry calls a "first class" pitch. This is more than one-fourth of the total scheduled time. "Rebuttal" testimony by industry spokesmen has also been arranged to match critical comments in time for news deadlines, according to an article in Advertising Age, a trade publication.

In addition, FTC reportedly agreed to rule out any discussion of advertising's influence on industrial concentration, a burning issue at the agency and elsewhere. Agency staff aides had suggested the expanded topic but were overruled by higher officials.

To the admen's delight, the FTC has decided to focus on getting "empirical information." FTC Chairman Miles Kirkpatrick told a Senate committee Oct. 4 that he was already willing to conclude "that in many instances, scientifically sound information does not yet exist and must await further research."

In recent months, the industry has become deeply worried over the increasingly tough stance of the FTC. Their main concerns are the FTC demands for documentation of questionable claims and orders that false statements be corrected in future advertisements.

Admen fear the possibility of further industry-wide regulation. In his confidential memo, ANA President Peter W. Allport emphasizes this theme...He deplores what he sees as an FTC staff view "that advertising's only economic and social justification is to provide 'information' from which consumers can make 'rational purchasing decision.'" Industry leaders obviously see the hearings as a vehicle to improve government and public understanding of advertising.

Also worrying admen is growing evidence of a sharp decline in advertising credibility. A survey reported in the Harvard Business Review indicated that two-thirds of U.S. executives do not feel ads present a true picture of products and services.

(Continued on last page)

Issue #1

OF THE TOP 50 TV ADVERTISERS IN 1970, OVER HALF MANUFACTURE FOOD PRODUCTS

COMPANY	1970 TV EXPENSE	COMPANY	1970 TV EXPENSE
**Procter & Gamble Co.	\$179 million	**Ralston Purina Co.	\$ 27 million
**General Foods Corp.	\$ 94 million	Chrysler Corp.	\$ 25 million
Colgate-Palmolive Co.	\$ 83 million	AT&T	\$ 24 million
**Bristol-Myers Co.	\$ 80 million	**J. B. Williams Co.	\$ 23 million
**American Home Products	\$ 67 million	**Nestle Co.	\$ 22 million
**R. J. Reynolds Industries	\$ 67 million	**IT&T	\$ 22 million
**Warner-Lambert Pharma. Co.	\$ 64 million	**Carnation Co.	\$ 21 million
**Lever Brothers Co.	\$ 59 million	**Campbell Soup Co.	\$ 20 million
Sterling Drug Inc.	\$ 54 million	**Norton Simon Inc.	\$ 19 million
Phillip Morris Inc.	\$ 48 million	Richardson Merrell Inc.	\$ 19 million
Gillette Co.	\$ 44 million	Block Drug Co., Inc.	\$ 19 million
**General Mills Inc.	\$ 42 million	**Quaker Oats Co.	\$ 19 million
General Motors Corp.	\$ 42 million	**Morton Norwich Products	\$ 18 million
Ford Motor Co.	\$ 39 million	**Rapid American Corp	\$ 18 million
**Miles Laboratories Inc.	\$ 39 million	L & M Tobacco Co.	\$ 18 million
Sears Roebuck & Co.	\$ 34 million	Johnson & Johnson	\$ 18 million
**Kellogg Co.	\$ 34 million	**McDonalds Corp.	\$ 17 million
**Coca Cola Co.	\$ 32 million	Chas Pfizer & Co.	\$ 17 million
**Kraftco Corp.	\$ 32 million	Carter Wallace Inc.	\$ 17 million
Lcews Theatres Inc.	\$ 31 million	**Pillsbury Co.	\$ 17 million
British-Amer. Tobacco Co.	\$ 31 million	**Greyhound Corp.	\$ 17 million
S. C. Johnson & Son Inc.	\$ 31 million	**William Wrigley Jr. Co.	\$ 17 million
**Pepsico Inc.	\$ 30 million	Plough Inc.	\$ 16 million
American Brands Inc.	\$ 30 million	Mattel Inc.	\$ 16 million
Alberto Culver Co.	\$ 27 million	Smith, Kline & French Labs	\$ 15 million

From Broadcasting, May 17, 1971. Figures based on Broadcast Advertisers Reports.
 (** indicates those companies which manufacture foods.)

[illegible]

RADIO T.V. REPORTS, INC.

PRODUCT: LIBBY DINNERS
PROGRAM: NOON REPORT
WMAQ-TV

• 5/26/71 •
(CHICAGO)

H713090
30 SEC.
12:15PM



1. WOMAN: Eating used to be my Ralph's least favorite sport.



2. But that was before Libby Land Dinners, the first frozen dinners with fun in them.



3. For instance, Safari Supper has fried chicken,



4. spaghetti with meatballs,



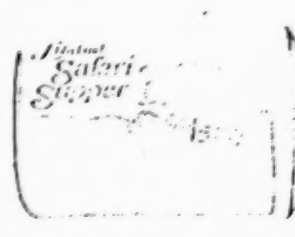
5. corn, and chocolate pudding.



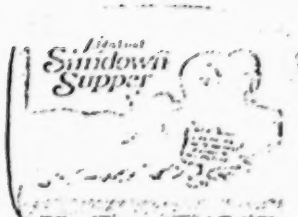
6. All seasoned and portioned for kids.



7. Plus mysterious milk magic that adds fun flavors to milk.



8. Libby Land Safari Supper,



Sundown Supper,



10. and Pirate Picnic.



11. Kids eat them up.

RADIO T.V. REPORTS, INC.

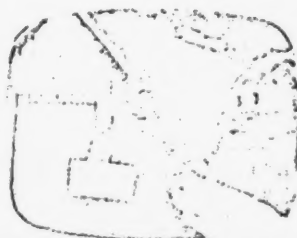
PRODUCT: PALS VITAMINS
PROGRAM: SCOOPY DO
WCBS-TV

10/16/71
(NEW YORK)

APPENDIX I
715459
30 SEC.
8:31AM



1. MAN: Howdy, Arnold, want to join the Pal's Club?



2. ARNOLD: Sure, what do I get?



3. MAN: A membership certificate with your name on it.



4. A Pal's club patch and a coloring and activity book.



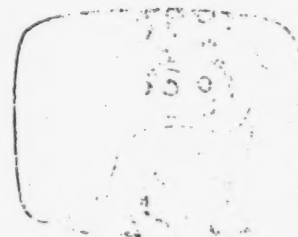
5. (MUSIC)



6. MAN: You don't eat the Pal's Club, Arnold. You get it in the mail free when you send in any box of Pal's Vitamins.



7. ARNOLD: Can I have my daily Pal's Vitamin, too?
MAN: Sure.



8. ARNOLD: I love the Pal's Club.



9. MAN: To join, mom,

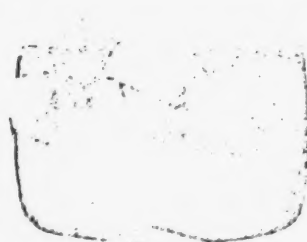


10. just look for the specially marked Pal's boxes in your store.

RADIO T.V. REPORTS, INC.

PRODUCT: ARCO GASOLINE
 PROGRAM: MILLION DOLLAR MOVIE
 KHJ-TV

A713107
 5/25/71 30 SEC.
 (LOS ANGELES) 9:30PM



1. (MUSIC)



2. ANNCR: Do you remember the story of Noah?



3. When he saw the rain coming,



4. Noah put two of every kind of animal on the Ark



5. and sailed away.



6. Now you can play Noah.



7. Participating Arco dealers have 15 pairs of animals to collect.



8. You can even get Noah and his Ark. Just ask for complete details.



9. Start playing Noah soon. Don't wait for a rainy day.



10. A pair of animals free with a minimum 8 gallon fillup.

APPENDIX I

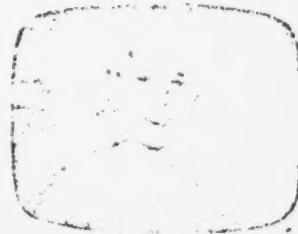
RADIO T.V. REPORTS, INC.

PRODUCT: CHOCKS VITAMINS
PROGRAM: JACKSON FIVE
WABC-TV

714488
9/11/71 30 SEC.
(NEW YORK) 9:49AM



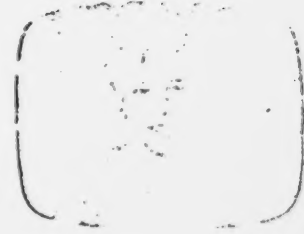
1. (5FX) ANNCR: Hey hot-shot, what kind of vitamins does your mother give you?



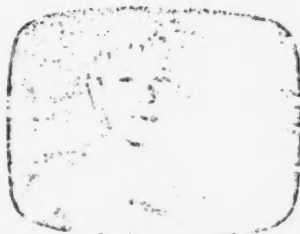
2. BOY: Chocks...



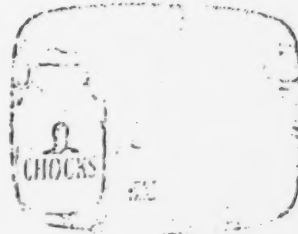
3. ANNCR: Why, because she knows you don't always eat right?



4. BOY: Yeah.



5. ANNCR: But why Chocks? Why not one of those other shaped brands?



6. BOY: Those are shaped for little kids.



7. ANNCR: Oh, how do you know when you've grown up to the shape of Chocks?



8. BOY: When you're a grown up kid like me.



9. ANNCR: I see. Chocks are the chevable vitamin shaped for grownup kids like you.